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German CBD Regulation ‘Moving Slowly In The Right Direction’

by David Ridley

A recent court case and an upcoming federal election promise movement in Germany's cannabidiol market, stated Joscha Krauss, CEO of local manufacturer MH Medical Hemp GmbH, at the 18th European Industrial Hemp Association (EIHA) Annual Conference.

Germany has been pretty quiet with regards to cannabidiol food supplements since the country's food regulator published a statement on its website in 2019 suggesting that these products would need to be approved as novel foods under the new EU regulations.

“Nothing has really happened over here in Germany,” commented Joscha Krauss, CEO of local manufacturer MH Medical Hemp GmbH, speaking at the 18th European Industrial Hemp Association (EIHA) Annual Conference.

“I mean, according to the Federal Office of Consumer Protection and Food Safety (BVL), hemp extracts are still classified as novel if they contain cannabinoids,” he added. “I doubt that they will shift from that opinion, at least in the next few months.”

While industry awaits the European Commission's decisions on current novel food applications – after having put the whole process on hold last year after considering that CBD might be a drug after all – this means that products currently on the market are still

German Hemp Manufacturer Blasts Food Safety Regulator Over CBD Statement

By David Ridley

10 Apr 2019

Germany's Federal Office of Consumer Protection and Food Safety (BVL) is accused of issuing false and legally questionable advice with regards to cannabidiol (CBD) food supplements by hemp manufacturer MH Medical Hemp GmbH.

technically illegal.

Nevertheless, “things are moving slowly in the right direction,” he said.

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See You In Court

In May, for example, the city of Dusseldorf reversed its ban on CBD food supplements after local manufacturer Hempro International won a court case against the decision.

“In April 2020, the North Rhine-Westphalia State Office for Consumer Protection (LANUV) had assessed the distribution of products containing cannabidiol as ‘CBD isolates’ or ‘hemp extracts enriched with CBD’ as unlawful,” Krauss explained.

Three months later, the city of Dusseldorf issued a general decree banning the sale of all foodstuffs containing CBD, he continued.

“According to the court, the ban on CBD-containing foodstuffs in general is not correct,” he reported. As a result, full spectrum hemp extracts are no longer affected by the sales ban.

However, while this case – as well as the recent landmark ruling by the European Court of Justice that CBD is not a narcotic – points to movement in the German market, Krauss warned that the German Ministry of Health is currently pre-occupied, understandably, with the COVID-19 pandemic.

Furthermore, the Ministry of Health is holding back any major action until the next federal elections in September, the results of which he predicted would have an impact not only on the German hemp and cannabis industry, but also that of the EU.

“Please, cross your fingers for us,” he concluded, not giving away which party he thought would be most beneficial for industry.

Highest European Court Rules CBD Is Not A Narcotic Drug

By [Tom Gallen](#)

23 Nov 2020

The European Court of Justice rules that CBD cannot be regarded as a narcotic as it is non-psychoactive and suggests that a French ban on the cannabinoid is contrary to EU law on the free movement of goods. Legal experts and industry hope the judgment will pave the way for a regulated European CBD market.

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